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Attorneys for Plaintiffs And The
Proposed Class

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

HEATHER CARSON and MARK
SANDERS-FERRIERA, individually
and on behalf of others similarly
situated, ,

Plaintiffs,

vs.

WAYFAIR, INC., a Delaware
corporation,

Defendant.

Case No. 2:16-cv-00716-PA (GJSx)

**PLAINTIFFS' NOTICE OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE
OF CIVIL PROCEDURE 41(A)(1)**

PLEASE TAKE NOTICE that Plaintiffs Heather Carson and Mark Sanders-Ferriera ("Plaintiffs"), pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismiss all claims in this action *without prejudice* as to Defendant Wayfair, Inc.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) Voluntary Dismissal.

(1) *By the Plaintiff.*

(a) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

Defendant has neither answered Plaintiffs' First Amended Complaint, nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of the Court.

DATED: May 9, 2016

ROBERTSON & ASSOCIATES, LLP

/ s / Alexander Robertson, IV

By:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 9th day of May, 2016, the foregoing document entitled **PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(A)(1)** was filed electronically on the CM/ECF system, which caused all CM/ECF participants to be served by electronic means.

/s/ Ann Russo

An Employee of Robertson & Associates, LLP